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August 17, 2018

VIA ECF

Hon. Richard J. Sullivan
U.S. District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: Griffin , et. al. v. Sheeran, et. al. // Case Number 2017-cv-5221 (RJS)

Dear Judge Sullivan:

We represent the Plaintiffs in the above-captioned matter. We write with respect to Plaintiffs' forthcoming opposition to Defendants' motion for summary judgment (due to be filed with the Court on August 28, 2018) to request (a) an extension of ten (10) days until (September 7, 2018); (b) leave to file a Declaration from Dr. Stewart that is twenty-five (25) double-spaced pages in length, (c) to file a memorandum of law that is up to thirty (30) pages.

The Defendants have consented to the requested extension. Last week, my mother, also an attorney with a law practice with which we are affiliated, had emergency aorta surgery. She is now at home recovering but this has required me to devote additional time administering to clients and/or law practice.

In addition, the defendants' Rule 56.1 Statement, although numerated 1-204, contains many discrete subparts and footnotes, the great majority of which, require close attention of Plaintiffs' musicologist, Dr. Stewart.

In regard to the Declaration of Dr. Stewart, we seek leave to file a Declaration up to twenty-five (25) pages to allow Dr. Stewart to reasonably respond to the lengthy Declaration filed by defendants' expert Dr. Ferrara. Dr. Stewart will be including musical transcriptions and graphic illustrations in his Declaration which takes up more space than text alone.

With respect to the memorandum of law, the Defendants have consented to our request to file up to (30) thirty pages. Plaintiff requests these additional pages to fully respond to the lengthy brief and numerous arguments cited by Defendants. Plaintiffs will attempt to file a brief

that is twenty-five (25) pages or less, however, we make this request out of an abundance of caution.

Thank you for your attention and anticipated assistance with the foregoing. Should you have any questions and/or concerns, please do not hesitate to so advise.

Respectfully Submitted,



Patrick R. Frank, Esq.

cc: All counsel of record via ECF filing